

BY: JOHN F. CORCORAN, CLERK
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**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

MICHAEL CARPENTER,
Plaintiff,

v.

**SHERIFF OF ROANOKE CITY et al.,
Defendants.**

Civil Action No. 7:05-CV-00667

FINAL ORDER ADOPTING REPORT AND RECOMMENDATION

By: Samuel G. Wilson
United States District Judge

Michael Carpenter brings this suit pursuant to 42 U.S.C. § 1983, claiming that he was subjected to excessive force during a pat down search. The defendants filed a motion for summary judgment, and the court referred the matter to United States Magistrate Judge Michael F. Urbanski for a report and recommendation, pursuant to 28 U.S.C. § 636(b)(1)(B). The Magistrate Judge subsequently filed a report, finding no genuine issue of material fact, and recommended that the court grant the defendants' motion for summary judgment. Neither party has filed objections. Having reviewed the Magistrate Judge's Report and Recommendation and pertinent portions of the record, the court agrees with the Magistrate Judge's recommendation.

Accordingly, it is hereby **ORDERED** and **ADJUDGED** that the Magistrate Judge's Report and Recommendation is **ADOPTED** in its entirety, defendants' motion for summary judgment is **GRANTED**, Carpenter's suit is **DISMISSED**, and this matter is **STRICKEN** from the active docket of the court.

The Clerk of the Court is directed to send certified copies of this order to the plaintiff and to counsel for the defendants.

ENTER: This 10th day of October, 2006.

United States District Judge